

Group II, claims 1, 3, 4, 11-12 in part, drawn to an enzyme that produces plasminogen fragments;

Group III, claims 1, 3, 11-12 in part, drawn to an enzyme that produces fibronectin fragments;

Group IV, claims 1, 3, 11-12 in part, drawn to an enzyme that produces vitronectin fragments;

Group V, claims 1, 3, 11-12 in part, drawn to an enzyme that produces HGF fragments;

Group VI, claims 5-7, 13-14 in part, drawn to protein fragments of plasminogen;

Group VII, claims 5, 6, 8, 13-14 in part, drawn to protein fragments of fibronectin;

Group VIII, claims 5-6, 13-14 in part, drawn to protein fragments of vitronectin;

Group IX, claims 5-6, 13-14 in part, drawn to protein fragments of HGF;

Group X, claims 9-10 in part, drawn to a method of preparing fragments of plasminogen;

Group XI, claims 9-10 in part, drawn to a method of preparing fragments of fibronectin;

Group XII, claims 9-10 in part, drawn to a method of preparing fragments of vitronectin; and

Group XIII, claims 9-10 in part, drawn to a method of preparing fragments of HGF.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, claims 1, 11-12 in part and claim 2, "drawn to an enzyme that produces plasma protein fragments of SEQ ID NO:1."

Based on the above-quoted phrase [e.g. "drawn to an enzyme that produces plasma protein fragments of SEQ ID NO:1"] the Examiner appears to believe that SEQ ID NO: 1 refers to the fragments. This is not correct. SEQ ID NO: 1 refers to the N-terminal amino acid sequence of the enzyme.

Moreover, groups II-VI are drawn to the same enzyme recited in Group I. Applicants respectfully submit that Groups I-VI should be considered a single group since all of these groups are referring to the enzyme. The plasma protein fragments recited in the preamble of claim 1 are produced by the claimed enzyme. Claim 3 merely recites the plasma proteins to be fragmented by the claimed enzyme. The invention is directed to the enzyme per se. In every case (Groups I-VI), it is the enzyme that is being claimed so Groups I-VI should be examined together.

Moreover, the invention of Groups X-XIII should be rejoined upon allowance of the elected invention. See MPEP 821.04, which states that "if applicant elects claims directed to the product, and a product claim is subsequently found allowable, withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim will be rejoined."

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Marc S. Weiner (Reg. No. 32,181) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Marc S. Weiner, #32,181

MSW:kss  
0020-4841P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000